

By: Harper-Brown, et al.

H.B. No. 2585

A BILL TO BE ENTITLED

AN ACT

relating to the reimbursement of utilities for relocation of utility facilities following improvement or construction of certain tolled highways.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 203.092, Transportation Code, is amended by amending Subsections (a-1), (a-2), and (a-3) and adding Subsection (a-4) to read as follows:

(a-1) Notwithstanding Subsection (a)(3), the department and the utility shall share equally the cost of the relocation of a utility facility that is made before September 1, 2017 [~~2013~~], and required by the improvement of a nontolled highway to add one or more tolled lanes. This subsection expires September 1, 2017 [~~2013~~].

(a-2) Notwithstanding Subsection (a)(3), the department and the utility shall share equally the cost of the relocation of a utility facility that is made before September 1, 2017 [~~2013~~], and required by the improvement of a nontolled highway that has been converted to a turnpike project or toll project. This subsection expires September 1, 2017 [~~2013~~].

(a-3) Notwithstanding Subsection (a)(3), the department and the utility shall share equally the cost of the relocation of a utility facility that is made before September 1, 2017 [~~2013~~], and required by the construction on a new location of a turnpike project

1 or toll project or the expansion of such a turnpike project or toll
2 project. This subsection expires September 1, 2017 [2013].

3 (a-4) If a utility under Subsection (a-1), (a-2), or (a-3)
4 is privately owned, the utility and the department must enter into
5 an agreement requiring the relocation of a utility facility to be
6 completed within a reasonable time period. If the utility does not
7 complete the relocation of a utility facility by the date specified
8 in the agreement, the department is not required to continue to
9 share the cost of the relocation of a utility facility under
10 Subsection (a-1), (a-2), or (a-3) after the date specified by the
11 agreement. This subsection expires September 1, 2017.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect on the 91st day after the last day of the
17 legislative session.